

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA**

In re

**MISTY ROBERTS and JAMES DARIN  
CLEMONS,**

Debtors.

Case No. **21-10080-BPH**

**ORDER**

In this Chapter 7 bankruptcy, Debtors filed a voluntary Chapter 7 Petition on July 13, 2021 (ECF No. 1). That same day, the Clerk of Court entered a Deficiency Notice (ECF No. 7) (“Notice”) alerting Debtors that they failed to file certain documents required under Fed. R. Bankr. P. 1007 and/or 3015(b). The Notice directed Debtors to cure the deficiency by filing the required documents on or before July 22, 2021, and further explained that her case could be dismissed if she failed to do so. Debtors failed to cure the deficiency. Compliance with Fed. R. Bankr. P. 1007 and 3015(b) is mandatory and Mont. LBR 1007-1(d) provides for dismissal of a case where, as here, required documents are not timely filed. However, Mont. LBR 1007-1(d) permits a debtor to request reconsideration of such an order of dismissal. Upon review of the docket and based upon Debtors’ failure to cure the deficiencies in this case,

IT IS ORDERED that Debtors’ case is dismissed. Pursuant to Mont. LBR 1007-1(d), Debtors shall have fourteen (14) days from the entry of this Order to request reconsideration for good cause shown.

Dated July 28, 2021.

BY THE COURT:



Hon. Benjamin P. Hursh  
United States Bankruptcy Court  
District of Montana

United States Bankruptcy Court  
District of Montana

In re:  
MISTY ROBERTS  
JAMES DARIN CLEMONS  
Debtors

Case No. 21-10080-BPH  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0977-1  
Date Rcvd: Jul 28, 2021

User: ColeenHan  
Form ID: pdfodsmc

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

**Symbol Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 30, 2021:**

Recip ID	Recipient Name and Address
db/jdb	+ MISTY ROBERTS, JAMES DARIN CLEMONS, PO BOX 2313, RED LODGE, MT 59068-2313

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 30, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 28, 2021 at the address(es) listed below:

Name	Email Address
Bret T Allred	on behalf of Debtor MISTY ROBERTS bret@yellowstonelawgroup.com clients@yellowstonelawgroup.com;allred.bretr101627@notify.bestcase.com
Bret T Allred	on behalf of Joint Debtor JAMES DARIN CLEMONS bret@yellowstonelawgroup.com clients@yellowstonelawgroup.com;allred.bretr101627@notify.bestcase.com
JAMES A PATTEN	on behalf of Creditor CEDARWIND HOLDING LLC apatten@ppbglaw.com, andypatten88@gmail.com;apatten@ecf.inforuptcy.com;Apatten-ecf@ppbglaw.com
OFFICE OF THE U.S. TRUSTEE	ustp.region18.bs.ecf@usdoj.gov
ROBERT G. DRUMMOND	Trustee@MTChapter13.com

District/off: 0977-1

User: ColeenHan

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Date Rcvd: Jul 28, 2021

Form ID: pdfodsmc

Total Noticed: 1

kprinzing@MTChapter13.com;tfloerchinger@MTChapter13.com;rdrummond13@ecf.epiqsystems.com

ROBERT G. DRUMMOND

on behalf of Trustee ROBERT G. DRUMMOND Trustee@MTChapter13.com

kprinzing@MTChapter13.com;tfloerchinger@MTChapter13.com;rdrummond13@ecf.epiqsystems.com

TOTAL: 6